

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Margaretha Bakker
Serial No.: 10/539,708
Filing Date: December 30, 2005

Examiner: Erich A. Leeser
Group Art Unit No.: 1624
Confirmation No. : 4819

For:

3-Substituted 3,4-dihydro-thieno[2,3-D]pyrimidine-4-one Derivatives, Production and Use
Thereof

INTERVIEW SUMMARIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This document is being submitted in connection with a telephone conversation that the undersigned attorney had with Examiner Leeser on September 18, 2008 regarding three (3) conversations that the Examiner had with one of the previous attorneys handling this application, namely, Mr. Mark Polyakov of Wood Phillips in March and April 2007. Specifically, the undersigned attorney asked whether interview summaries had been prepared by the Examiner for these conversations as none could be found in the file or on PAIR. Apparently, interview summaries had not been prepared by either the Examiner or Mr. Polyakov.

The undersigned attorney would like to make what she understands the substance of these conversations of record via this document. It is the undersigned attorney's understanding that the first conversation occurred on March 14, 2007 when the Examiner called Mr. Polyakov. The Examiner indicated that he was withdrawing the Restriction Requirement in view of Applicants arguments. The Examiner also indicated that he was willing to allow the application if Applicants agreed to several suggestions. Specifically, the Examiner indicated that claim 17 should be cancelled as being duplicative of claim 1. The Examiner argued that the method of treatment claims were too broad. In view thereof, Claim 19 should be cancelled and claim 20 limited to treatment of depression. Claims 6-9 and 16 were objected to for their simultaneous recitation of broader and narrower ranges. The Examiner proposed leaving the broader ranges in the original claims and to recite the narrower ranges in dependent claims.

It is the undersigned attorney's understanding that the second conversation occurred on March 27, 2007 when the Examiner called Mr. Polyakov to follow up on their discussion of March 14, 2007. The Examiner indicated that if a response was not received by Thursday of that week that he would have to issue an Office Action.

It is the undersigned attorney's understanding that the third conversation occurred on April 10, 2007 when the Examiner again called Mr. Polyakov. The Examiner discussed the enablement rejection of the method of use claims. Mr. Polyakov argued that the claims were enabled by the specification and pointed to specific sections of the specification in support thereof. The Examiner stated that he would consult with his supervisor and would be in touch shortly.

If the Examiner has any questions regarding any of the above described conversations, he is invited to contact the undersigned attorney.

DykemaGOSSETT PLLC
10 South Wacker Drive, Suite 2300
Chicago, Illinois 60606 USA
(312) 876-1700
(312) 627-2302 (facsimile)
www.dykema.com
ipmail@dykema.com

Respectfully submitted,

/Lisa V. Mueller, Reg. No. 38,978/

Lisa V. Mueller
Attorney for Applicant
Registration No. 38,978

Date:

January 2, 2009

Direct telephone calls to:

312.627.2184

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